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August 15, 2012

VIA ELECTRONIC & US MAIL

Ms. Stephanie Vaughn
ATTN: Lower Passaic River Remedial Project Manager
Emergency and Remedial Response Division
U.S. EPA, Region 2
290 Broadway, 19th Floor
New York, New York 10007

**Re: Monthly Progress Report No. 63 – July 2012
Lower Passaic River Study Area (LPRSA) Remedial Investigation/
Feasibility Study (RI/FS)
CERCLA Docket No. 02-2007-2009**

Dear Ms. Vaughn:

de maximis, inc. is submitting this Monthly Progress Report for the above-captioned project on the behalf of the RI/FS Agreement Settling Parties (Cooperative Parties Group or CPG) pursuant to the Administrative Settlement Agreement and Order on Consent (Settlement Agreement or AOC). The Progress Report satisfies the reporting requirements of Paragraph 42 of said Settlement Agreement.

(a) Actions which have been taken to comply with this Settlement Agreement during the previous month.

Meetings/Conference Calls

- On July 3, CPG and EPA personnel conducted a site visit to the River Mile (RM) 10.9 area of the Lower Passaic River review/locate additional characterization and delineation sediment sampling locations and to review the current surficial sediment data.
- On July 19, CPG, EPA, and CPG and EPA contractors held a meeting to discuss CPG concerns with EPA's Focused Feasibility Study modeling.
- On July 19, CPG, EPA, and the Department of Justice (DOJ) personnel held a conference call to discuss the draft Sample Preservation Agreement.

Ms. S. Vaughn
LPRSA RI/FS - Progress Report No. 63 – July 2012
August 15, 2012
Page 2 of 6

Correspondence

- On July 5, CPG submitted a memorandum to EPA on loss of hydrophobic chemicals of potential concern during cooking as it relates to the Human Health Risk Assessment for the LPRSA.
- On July 6, CPG submitted revisions to the Low Resolution Coring Supplemental Sampling Program (LRC SSP), RM 10.9 Characterization Program, and RM 10.9 Characterization Program Addendum A QAPPs that address the data validation of PCDD/PCDFs to EPA.
- On July 9, EPA provided informal comments on Addendum B to the RM 10.9 Characterization QAPP (bench scale testing of beneficial sediment reuse technologies).
- On July 10, EPA requested additional information from CPG to assist in the review of the High Volume (HV) Chemical Water Column Monitoring (CWCM) QAPP and to assist in their preparation of the oversight QAPP for this program.
- On July 10, EPA requested information on the calculation of the Frequency of Detection (FOD) summary for Small Volume (SV) CWCM Routine Flow Events #1 and #2 from CPG.
- On July 12, CPG submitted modeling program discussion topics to EPA in advance of the July 19 meeting.
- On July 13, CPG provided responses to questions regarding the HV CWCM QAPP and HV sampling equipment to EPA.
- On July 17, CPG uploaded the Draft Winter/Spring 2011 Avian Community Survey Data Report to the EPA SharePoint site.
- On July 18, CPG uploaded the Draft 2010 Small Forage Fish Tissue Chemistry Data Report to the EPA SharePoint site.
- On July 18, CPG uploaded the Draft 2011 Caged Bivalve Study Data Report to the EPA SharePoint site.
- On July 18, CPG submitted requested information to the EPA regarding the FOD calculations for SV CWCM Routine Flow Events #1 and #2.
- On July 23, CPG provided EPA oversight contractors a proposed schedule for the SV CWCM Low Flow Event to be conducted the week of July 30, 2012.
- On July 25, CPG submitted the revised Dissolved Oxygen (DO) Monitoring Program Addendum to the Physical Water Column Monitoring (PWCM) QAPP to EPA.
- On July 31, EPA notified CPG that the CWCM Low Flow Routine Event scheduled for the week of July 30 was to be rescheduled due to River conditions.

Ms. S. Vaughn
LPRSA RI/FS - Progress Report No. 63 – July 2012
August 15, 2012
Page 3 of 6

Work

- CPG continued analysis of the additional RM 10.9 sediment characterization and delineation samples requested by EPA as required by RM 10.9 Characterization QAPP Addendum A.
- CPG completed development of RM 10.9 Characterization QAPP Addendum B.
- CPG completed validation of LRC Supplemental Sampling Program (SSP) data.
- CPG continued validation of the SV CWCM Routine Flow Event #2 data.
- CPG continued validation of SV CWCM Routine Flow Event #3 data.
- CPG continued chemical analysis of the SV CWCM Routine Flow Event #4 samples.
- CPG continued preparations for conducting SV CWCM Routine Flow Event #5.
- CPG responded to EPA comments on HV CWCM QAPP worksheets.
- CPG continued discussions with HV equipment vendor and associated labs for applicability in the LPRSA CWCM field program.
- CPG completed analysis of the samples collected during the field demonstration of HV CWCM sampling equipment at the CPG Field Facility.
- CPG completed development of a QAPP Addendum to the PWCM QAPP for a proposed DO Monitoring Program in the LPRSA.
- CPG continued work on the 2011 Post-Hurricane Irene Bathymetry Survey report.
- CPG completed drafting the Winter/Spring 2011 Avian Community Survey Data Report.
- CPG completed drafting the 2010 Small Forage Fish Tissue Chemistry Data Report.
- CPG completed drafting the 2011 Caged Bivalve Study Data Report.
- CPG Modeling Team continued work on decoupling the Hydrodynamic and HQI ECOM-SEDZLJS Sediment Transport Model codes to shorten run times and long-term sediment transport calibration runs.
- CPG Modeling Team continued work on the RCATOX Chemical Fate and Transport Model Code initial conditions and long-term calibration runs.
- CPG Modeling Team continued support for design activities for the SV CWCM High Flow and Low Flow Events.
- CPG Modeling Team continued work on system understanding for hydrodynamic and sediment transport processes in Newark Bay.
- CPG continued review of sediment characteristics and potential target remedy locations in support of initial Feasibility Study (FS) evaluations.

Ms. S. Vaughn
LPRSA RI/FS - Progress Report No. 63 – July 2012
August 15, 2012
Page 4 of 6

(b) Results of Sampling and Tests

- On July 19, CPG posted laboratory EDDs from the SV CWCM Routine Flow and the RM 10.9 Characterization QAPP Addendum A programs to the EPA SharePoint site.

(c) Work planned for the next two months with schedules relating to the overall project schedule for RI/FS completion

- CPG will complete validation of the SV CWCM Routine Flow Event #2 data.
- CPG will complete validation of the SV CWCM Routine Flow Event #3 data.
- CPG will continue chemical analysis of the SV CWCM Routine Flow Event #4 samples.
- CPG will initiate validation of the SV CWCM Routine Flow Event #4 data.
- CPG will conduct SV CWCM Routine Flow Event #5 if River conditions meet SV CWCM QAPP criteria.
- CPG will conduct a SV CWCM High Flow Event if River conditions meet SV CWCM QAPP criteria.
- CPG will conduct a SV CWCM Low Flow Event if River conditions meet SV CWCM QAPP criteria.
- CPG will conduct a HV CWCM sampling event pending EPA approval of the HV CWCM QAPP Addendum.
- CPG will initiate the DO Monitoring Program pending EPA approval of the DO Monitoring Program QAPP Addendum.
- CPG will complete drafting the Post-Hurricane Irene Bathymetric Survey of the LPR report.
- CPG Modeling Team will continue calibration runs with the HQI ECOM-SEDZLJS and RCATOX codes and inputs.
- CPG Modeling Team will continue support with the CWCM High Flow program planning and development.
- CPG will participate in LPR/Newark Bay Modeling Program progress calls and follow-up modeling collaboration meetings with EPA and EPA consultants.
- CPG will continue initial FS evaluation of targeted remedy locations and development of cost estimating tools.

Ms. S. Vaughn
LPRSA RI/FS - Progress Report No. 63 – July 2012
August 15, 2012
Page 5 of 6

(d) Problems encountered and anticipated problems, actual or anticipated delays, and solutions developed and implemented to address actual or anticipated problems or delays.

- Based upon discussions with EPA on July 19, the CPG understands that EPA considers the calibration of the HQI sediment transport and the chemical fate and transport model sufficient to support the revised FFS for the lower 8 miles of the LPRSA. It is also the CPG's understanding that EPA is continuing work to improve their calibration of both models. The CPG is continuing to work on both sediment transport model and the chemical fate and transport model for the LPRSA. EPA and CPG collaboration meetings were conducted in January, March and June 2012; these and previous meetings are providing an opportunity for both modeling teams to understand differences between each team's approaches. Delays associated with both the sediment transport modeling and chemical fate transport modeling schedules are extending the completion of the LPRSA RI/FS.
- The CPG understands that the EPA approved Tierra's CSO/SWO Workplan in May 2011. It is also the CPG's understanding that the Method Detection Studies proposed by Tierra and other work such as construction of the proposed mobile centrifuge/CSO sampling trailer must be completed prior to the start of the Phase 1 work which is now forecast for late August 2012. The extent of the RI/FS schedule impacts is dependent on the completion of these items and Phase 1 sampling activities.
- EPA provided comments on July 11, 2011 which disapproved the revised risk assessment planning documents and required submission of revised documents within 30 days. Additionally, EPA provided a technical memo on July 25, 2011 on fish and crab consumption rates for the LPRSA Human Health Risk Assessment. The CPG filed a notice of dispute resolution in accordance with Section XV of the AOC on July 25, 2011 in response to EPA's July 11, 2011 directive letter and July 25, 2011 technical memorandum. The revised RARC and TRV deliverables were submitted on August 9, 2011. On September 6, 2011 the CPG submitted a position paper in response to EPA's July 11, 2011 comments and July 25, 2011 technical memorandum. Dispute resolution meetings were held on December 1, 2011 and January 13, 2012. EPA provided the results of the dispute resolution to the CPG on February 7, 2012 and the CPG implemented the changes specified in the July 2011 directive comments and the results of the dispute resolution in the revised RARC which was submitted on April 13, 2012.

Ms. S. Vaughn
LPRSA RI/FS - Progress Report No. 63 – July 2012
August 15, 2012
Page 6 of 6

If you have any questions, please contact Rob Law or me at (908) 735-9315.

Very truly yours,

de maximis, inc.

Willard F. Potter / cfe

Willard F. Potter
Project Coordinator

cc: Pat Hick, EPA Office of Regional Counsel
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